SBE Policy Manual: Board Members, Board Meetings

The Background:

The Board Members policy includes the statutory requirements for qualifications and appointment of Board members, as well as procedures for selecting the Board chair. The Board Meetings policy includes rules of order for conducting the meeting, procedures for development of agendas and guidelines for placing items on first or second reading.

Board staff worked with the Executive Director and Chairman to revise the policies to reflect current practice and statutory requirements. The Board Members policy now includes a conflict of interest disclosure form for Board members. The Board Meetings policy outlines updated publication practice for meetings and agenda items (agenda materials are no longer mailed, except to Board members, but are posted on the Board's website). Updated procedures for meetings conducted via electronic means and guidelines for placing items on first or second reading are also included.

These policies now include and supersede the terms of the document, *State Board of Education Operating Procedures*.

The Recommendation:

Board staff recommends approval of the policy on final reading.

BOARD MEMBERS

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NUMBER

The Board is composed of nine (9) appointed members, one (1) public high school student member and one (1) ex officio member. The executive director of the higher education commission shall be the ex officio, nonvoting member of the board.

QUALIFICATIONS

One (1) appointed member shall be appointed from, and represent, each congressional district. Such member shall reside within the congressional district from which such member is appointed. No appointed member of the board shall be an elected official or employee of the federal, state or a local government. At least one (1), but not more than one (1) appointed member of the board shall be employed, at the time of the appointment, as a K-12 public school teacher. The high school student shall be of superlative standing.

TERMS OF OFFICE

Members of the Board shall serve nine (9) year terms except the student board member who shall serve a one (1) year term.³

APPOINTMENTS

Appointments shall be made by the governor subject to confirmation by the senate and house of representatives.

The student member shall be appointed each year from nominees chosen by the local board of education in each school system at each board's discretion, with no more than one (1) student from each school system being nominated, and with the students having reached their junior or senior year in high school.⁴

VACANCIES

The position of any member shall become vacant when a member is no longer a resident of the district or when a board member misses, without cause, more than two (2) consecutive meetings. Cause shall be determined by the board.⁵

METHOD AND ELECTION OF OFFICERS

 3 Id.

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⁵ *Id*.

¹ Tenn. Code Ann. § 49-1-301.

² *Id*.

BOARD MEMBERS

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The chair of the board shall be elected by the members of the board for a term of four (4) years. A chair may be reelected. The chair of the board shall appoint the chair and members of any committee of board members.

NEW MEMBER ORIENTATION

In order that new members of the State Board of Education may become acquainted with the work of the State Board and the Commissioner of Education, each new member shall be required to attend an orientation program designed to review current programs and activities of the State Board of Education and the State Department of Education. Members will be reimbursed per diem and travel expenses in accordance with State Travel Regulations now existing or hereafter amended.

It shall be the duty of the Executive Director to design such a program. The program is subject to approval by the Chairman.

REPRESENTATION OF BOARD MEMBERS

The Executive Director with concurrence of the Chairman shall develop a procedure for designation of members to represent the Board at appropriate meetings and functions.

EXPENSES AND REIMBURSEMENT

Each member of the Board shall be reimbursed for travel expenses in accordance with the comprehensive travel regulations of the state.⁷

CONFLICT OF INTEREST DISCLOSURE

In order to assure that any appearance of conflict of interest is avoided, and in order to assure that any indirect interests are publicly acknowledged, each Board member shall complete the Tennessee State Board of Education Disclosure Statement for Indirect Interests (attached below). Each Board member shall amend his or her disclosure because of termination or acquisition of interests of which disclosure is required.

Adopted:

Revised: 08/18/2005

⁶ Tenn. Code Ann. § 49-1-301(b).

⁷ Tenn. Code Ann. § 49-1-301(c).

BOARD MEMBERS

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TENNESSEE STATE BOARD OF EDUCATION 710 James Robertson Parkway, 9th Floor Nashville, TN 37243-1050 (615) 741-12966

TENNESSEE STATE BOARD OF EDUCATION DISCLOSURE STATEMENT FOR INDIRECT INTERESTS OF BOARD MEMBERS

I, the undersigned member of the Tennessee State Board of Education, in order to assure that any appearance of conflict of interest is avoided, and in order to assure that any indirect interests are publicly acknowledged, hereby make the following statements and assurances:

1.	I am related to the following employees of the Tennessee State Board of Education or any official of any corporation, partnership, sole proprietorship, K-12 public education institution or other entities which do business with, are licensed by, or are otherwise involved with the State Board of Education:
2.	I am employed or professionally affiliated with the following corporation, partnership, sole proprietorships, associations, K-12 public education institutions or any other entities which are licensed by the Tennessee State Board of Education:
3.	I have an ownership interest in or serve on the Board of the following corporations, partnerships, sole proprietorships, associations, K-12 public education institutions or other entities which, to my knowledge, do business with K-12 public education institution coordinated or licensed by the Tennessee State Board of Education:

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4.	In my household and among my dependents (including parents, siblings, spouse or children), to the best of my knowledge, the following individuals have an ownership interest as stated in Number 3 above:
5.	I am currently the recipient of the following grants administered by the Tennessee State Board of Education:
6.	I hereby certify that if, during my tenure on the Tennessee State Board of Education, I become directly or indirectly interested as an owner, employee or affiliated as described in Number 1-5 above, or if there is any change in the information provided in this statement, I shall immediately disclose such information to the Tennessee State Board of Education. The accuracy of this statement will be reviewed within thirty (30) days after the Board's regularly scheduled spring meeting but no later than June 1.
	signature below, I affirm that all of the above statements are true to the best of my edge and belief.
	(Signature)
	(Date)

Adopted:

Revised: 08/18/2005

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BOARD MEETINGS

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The Board will transact all business at official meetings which may be either regular or special.

Every meeting of the Board will be open to the public. Open meetings will be accessible to all interested citizens. 10

REGULAR MEETINGS

The Board is to hold at least four meetings each year. Meetings may be held at the State Capitol or at another location within the State determined by the Board.

The four required meeting dates shall be set by October 15 of the preceding year.

CALLED MEETINGS

The Chairman may call special meetings or committee meetings whenever necessary for the transaction of urgent business; provided, that the Chairman of the Board shall notify each member of the Board and the Commissioner of Education of any special meeting at least 48 hours before the time fixed for same. A majority of the Board may call a special meeting in accordance with the above provisions.

NOTICE

The State Board of Education shall comply with Tennessee's Sunshine Law requiring public bodies to hold open meetings. Adequate public notice must be given prior to all regular or called meetings of the Board or its committees.

DEVELOPMENT OF THE AGENDA

The agenda shall be prepared by the Executive Director with concurrence by the Chairman.

An unscheduled item may be included on the agenda of the Board or its committees at the time of the meeting by majority vote of the Board members present, or in the case of a committee agenda item, by majority vote of the committee members present.

All resolutions must be submitted in writing before passage, even if hand written.

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⁸ Tenn. Code Ann. § 49-1-301 (6)(d)(1). ⁹ Tenn. Code Ann. § 8-44-102.

¹⁰ 28 CFR § 36.201(a); 36.202.

¹¹ Tenn. Code Ann. § 49-1-301 (6)(d)(2)(3).

TENNESSEE STATE BOARD OF EDUCATION BOARD MEETINGS 1.400

DISTRIBUTING AGENDA MATERIALS PRIOR TO BOARD MEETINGS

Agenda materials shall be mailed to State Board of Education members prior to the meeting. Copies of the agenda materials will be available for other parties and the public at the State Board of Education office and on the Board's website.

QUORUM

The quorum for an official meeting of the State Board of Education shall require the presence of five (5) voting members of the Board.

PROCEDURE FOR VOTING

Every vote or resolution adopted by the Board will be taken by calling ayes and nays. A roll call vote shall be called in alphabetical order and required in the case of adopting Rules and Regulations of the Board. A roll call vote shall also be called for denial of teacher license applications, license revocations and license restoration. Multiple rules or other issues may be combined in a single roll call vote. If a member objects to only one of the items being voted on, separate roll call votes shall be called.¹²

A Board member may call for the roll on any issue; subject to the approval of the Chairman.

SUSPENSION OF THE RULES

A quorum of the State Board of Education may agree to suspend its rules.

RECONSIDERATION OF PREVIOUS ACTION

A quorum of the State Board of Education may agree to reconsider previous action.

MINUTES

The term "minutes" refers to the proceedings of official meetings of the State Board of Education. True and correct copies of the minutes of Board meetings shall be prepared under the supervision of the Executive Director and Chairman after each meeting and copies shall be sent to all members. All Committee minutes shall be filed in the State Board of Education office.

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¹² Tenn. Code Ann. § 4-5-222.

TENNESSEE STATE BOARD OF EDUCATION BOARD MEETINGS 1.400

ELECTRONIC PARTICIPATION

Whenever participation by electronic or other means of communication is necessary, the notice shall state that participation via electronic or other means will take place. A statement of necessity shall be included in the minutes for such meeting and filed with the secretary of state within two working days of the meeting. All votes at such meetings shall be roll call votes.¹³

RULES OF ORDER

Debates and proceedings before the Board will be conducted in accordance with *Robert's Rules* of *Order* (current edition) when not in conflict with rules of the Board or other statutory requirements.

RECOGNITION OF SPEAKERS

Persons wishing to comment regarding an item on the Board and/or committee agenda shall notify the Executive Director of the State Board of Education at least forty-eight (48) hours prior to the scheduled meeting. Such person(s) shall give his/her name, address, phone number and the organization, agency or individual he/he will be representing. No person, committee, or delegation, not on the agenda, shall be heard unless recognized by the chairman.

SUBJECT OF REMARKS

All speakers before the Board shall confine their remarks to the subject indicated in the recognition by the Chairman.

PROCEDURE FOR ASKING QUESTIONS

Public speakers shall not directly question individual members of the Board or the Chairman without express permission of the Chairman, nor shall individual members of the staff address questions directly to the speaker without permission of the Chairman.

REPRESENTATIVES OF GROUPS

Only one spokesperson for any group appearing before the Board shall address the Board. Other members may do so with express permission of the Chairman or by previous arrangement.

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¹³ Tenn. Code Ann. § 8-44-108.

BOARD MEETINGS 1.400

DEMONSTRATIONS

Disruptive behavior placards, and banners shall not be permitted in the meeting room of the Board. Building security will be asked to remove persons in violation of this section.

ENFORCEMENT

Any person violating rules of this article (Rules of Order) shall be denied the floor.

OTHER CONSIDERATIONS

READING REQUIREMENT

Unless decided otherwise by the Chairman, the following items shall require only one reading: salary schedules; amendments to the NCLB accountability workbook; course name changes; PRAXIS test scores; Board policy changes, additions and deletions; and teacher license denial, suspension, revocation or restoration requests.

Unless decided otherwise by the Chairman, the following items shall require two readings: changes, additions and deletions to Board Rules and Regulations; curriculum standards; and licensure or employment standards.

REGULATIONS RESULTING FROM LEGISLATION

Regulations or laws resulting from legislation and pertaining to education will be reviewed at the end of each legislative session in the State Board of Education meeting.

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